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Notice of Allowability

Application No.

09/899,458

Examiner

Mylinh T Tran

Applicant(s)

LAFHEY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/04/04.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 05 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>15</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kraft on 08/05/04.

The application has been amended as follows:

Claim 1:

In a computer controlled user interactive display system, a display interface implementation for enabling an interactive user to select specific items on a display screen with crowded selectable items comprising:

user controlled means for moving an on-screen pointer to approach said selectable items; means for setting a predetermined minimum clearance factor required for user selection of an item by said pointer[;] said factor determined by a visible dimension of the approached item and the visible space between said approached item and adjacent items;

means for determining whether a selectable item being approached by said pointer has said minimum clearance factor;

and means responsive to a determination that said approached item does not have said minimum clearance factor for reducing the size of said pointer.

Claim 5:

In a computer controlled user interactive display system, a display interface implementation for enabling an interactive user to select specific icons on a display screen with crowded selectable icons comprising:

user controlled means for moving an on-screen pointer to approach said selectable icons;

means for setting a predetermined minimum clearance distance required for user selection of an icon by said pointer[;] said minimum clearance distance determined by a visible dimension of the approached icon and the visible space between said approached icon and adjacent icons;

means for determining whether a selectable icon being approached by said pointer is within said minimum clearance distance from said pointer;

means for determining whether said approached icon has said minimum clearance distance from its adjacent; and

means responsive to a determination that said approached icon does not have said minimum clearance distance from adjacent icons for automatically reducing the size of said pointer.

Claim 7:

A method for enabling an interactive user to select specific items on a display screen with crowded selectable items in computer controlled user interactive display systems comprising:

moving an on-screen pointer to approach said selectable items;
setting a predetermined minimum clearance factor required for user selection of an item by said pointer;

determining whether a selectable item being approached by said pointer has said minimum clearance factor[;] said factor determined by a visible dimension of the approached item and the visible space between said approached item and adjacent items; and

reducing the size of said pointer responsive to a determination that said approached item does not have said minimum clearance factor.

Claim 11:

A method enabling an interactive user to select specific selectable icons on a display screen with crowded selectable icons in computer controlled user interactive display systems comprising:

moving an on-screen pointer to approach said selectable icons;

setting a predetermined minimum clearance distance required for user selection of an icon by said pointer[;] said minimum clearance distance determined by a visible dimension of the approached icon and the visible space between said approached icon and adjacent icons;

determining whether a selectable icon being approached by said pointer is within said minimum clearance distance from said pointer;

determining whether said approached icon has said minimum clearance distance from its adjacent icons; and

automatically reducing the size of said pointer responsive to a determination that said approached icon does not have said minimum clearance distance from adjacent icons.

Claim 13:

A computer program having program code included on a computer readable medium for enabling an interactive user to select specific items on a display screen with

crowded selectable items in a computer controlled user interactive display system comprising:

user controlled means for moving an on-screen pointer to approach said selectable items;

means for setting a predetermined minimum clearance factor required for user selection of an item by said pointer[;] said factor determined by a visible dimension of the approached item and the visible space between said approached item and adjacent items;

means for determining whether a selectable item being approached by said pointer has said minimum clearance factor; and

means responsive to a determination that said approached item does not have said minimum clearance factor for reducing the size of said pointer.

Claim 17:

A computer program having program code included on a computer readable medium for enabling an interactive user to select specific icons on a display screen with crowded selectable icons in a computer controlled user interactive display systems comprising:

user controlled means for moving an on-screen pointer to approach said selectable icons;

means for setting a predetermined minimum clearance distance required for user selection of an icon by said pointer[;] said minimum clearance distance determined by a visible dimension of the approached icon and the visible space between said approached icon and adjacent icons;

means for determining whether a selectable icon being approached by said pointer is within said minimum clearance distance from said pointer;

means for determining whether said approached icon has said minimum clearance distance from its adjacent icons; and

means responsive to a determination that said approached icon does not have said minimum clearance distance from adjacent icons for automatically reducing the size of said pointer.

The following is an examiner's statement of reasons for allowance:

The Examiner has carefully considered the independent claims 1, 5, 7, 11, 13 and 17. The method for "enabling an interactive user to select specific icons on a display screen with crowded selectable icons" as claimed was not taught or suggested by the prior art. The feature of "moving an on-screen pointer to approach the selectable icons" and "means for setting a predetermined distance of an icon from a location" are well known in the art as taught by Pickover et al. [US. 5,740,390]. Fleck also discloses the limitation of changing a shape (size) of the pointer based on its different locations. However, none of the references teach or suggest means for setting a predetermined minimum clearance distance required for user selection of an icon by the pointer whether a selectable icon being approached by said pointer is within the minimum clearance distance from said pointer which the minimum clearance distance determined by a visible dimension of the approached icon and the visible space between said approached icon and adjacent icons. The advantage of this method is to be able to select a specific item in the crowded selectable items.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Heather Herndon, can be reached on (703) 308-5186,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record

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includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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8/7/04

BA HUYNH
PRIMARY EXAMINER